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Patent

Case No.: 59529US002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: WINDORSKI, DAVID C.

Application No.: 10/772190 Group Art Unit: 1771

Filed: February 4, 2004 Examiner: Desai, Anish P.

Title: ARTICLE WITH SELECTIVELY ACTIVATED ADHESIVE

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]	
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Date	Signed by: Joyce M. Courtney
<u>1-5-06</u>	<u>Joyce M. Courtney</u>

Dear Sir:

This is in response to the Office Action mailed December 8, 2005. Claims 1-20 are pending. Claims 1-20 were restricted under 35 USC § 121 as follows:

- I. Claims 1-6 are said to be drawn to an article which may be selectively secured to a mounting substrate, classified in Class 428, subclass various;
- II. Claims 7-20 are said to be drawn to an index card assembly, classified in Class , subclass various;

**Election**

In response, Applicants elect Group II, with traverse.

Reconsideration and withdrawal or modification of the restriction requirement is respectfully requested.

In Group II, Applicants broadly claim an index card assembly.

The Restriction Requirement in Paragraphs 1 and 2 state that the inventions of Group I and II are distinct for various reasons.

Applicants submit that the Groups I and II claims are so interrelated that a search of one group of claims will reveal art to the other. Moreover, the classification of Groups I and II claims in different classes and subclasses is not necessarily sufficient grounds to require restriction.

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Were restriction to be effected between the claims in Groups I and II, a separate examination of the claims in Groups I and II would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I and II would have to be as rigorous as when only the claims of Group II were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I and II, it would place an undue burden by requiring payment of a separate filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.

Conclusion

Applicants have elected Group II. Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

Date

05 January 2006

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